

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET TG-101542 (<i>Consolidated</i>)
)	
MASON COUNTY GARBAGE CO.,)	
INC. d/b/a MASON COUNTY)	
GARBAGE, G-88,)	
)	
Requesting Authority to Retain Thirty)	
Percent of the Revenue Received)	
From the Sale of Recyclable)	
Materials Collected in Residential)	
Recycling Service)	
.....)	
..)	
In the Matter of the Petition of)	DOCKET TG-101545 (<i>Consolidated</i>)
)	
MURREY'S DISPOSAL COMPANY,)	
INC., G-9,)	
)	
Requesting Authority to Retain Fifty)	
Percent of the Revenue Received)	
From the Sale of Recyclable)	
Materials Collected in Residential)	
Recycling Service)	
.....)	
..)	DOCKET TG-101548 (<i>Consolidated</i>)
In the Matter of the Petition of)	
)	DECLARATION OF DAVID BAKER
AMERICAN DISPOSAL COMPANY,)	IN SUPPORT OF PETITIONERS'
INC., G-87,)	MOTION FOR SUMMARY
)	ADJUDICATION TO ALLOW
Requesting Authority to Retain Fifty)	REVENUE SHARE RETENTION
Percent of the Revenue Received)	
From the Sale of Recyclable)	
Materials Collected in Residential)	
Recycling Service)	
.....)	

David Baker declares:

1. I am the Solid Waste Manager for Mason County and have been employed by Mason County since July, 2006. In my capacity as Solid Waste Manager for Mason County, I frequently work with Mason County Garbage Company, our certificated hauler, on various issues impacting county ratepayers and service levels within the county.
2. Mason County Garbage currently services approximately 10,000 customers in Mason County regulated service.
3. Pursuant to County Ordinance 147-08, in summer, 2009, Mason County Garbage initiated a mandatory pay curbside recycling program following approval by the Washington Utilities and Transportation Commission of rate levels and proposed commodity credits.
4. In conjunction with the Mason County Solid Waste Advisory Committee, the County has worked very collaboratively with Mason County Garbage to develop a program that increases opportunities for recycling for residents of Mason County and we believe we have demonstrable results that prove the plan's effectiveness.
5. Pursuant to our current recycling program, we have established a revenue share percentage of 30 percent which Mason County Garbage is allowed to retain to promote various recycling efforts within Mason County. That plan

identifies several key ingredients that the County is seeking performance of and, as indicated at the Open Meeting on October 28, 2010, we are of the opinion that those performance measures are being fully satisfied through the current program performance.

6. The County has also established through its recycling revenue share plan and the Solid Waste Advisory Committee a number of items or factors that it has indicated it would like to see revenue share proceeds used for including:

- A. Facility upgrades to the sorting facility where County material is processed by Mason County Garbage Company,
- B. Additional customer service representative assistance at the Company's Mason County offices, ongoing brochures and other media to become available through the company website that assists in promoting recyclables and other public outreach to be performed by Mason County Garbage Company.
- C. The revenue share plan also helps lower costs for the County's glass recycling program by directly providing funds to operate our system since glass is not included in our current residential curbside collection program.

7. Because Mason County is a relatively small population county, we also have a very minimal education outreach staff and thus need to rely on resources

provided by the regulated solid waste collection company to augment recycling and waste reduction promotion.

8. While in 2009-2010, Mason County Garbage Company did not reflect any unspent revenue from the 30 percent revenue share retention proceeds, Mason County has no opposition to any retention by the hauler of any leftover proceeds after it performs to the County's complete satisfaction all of the items specified in the recycling plan and we certify performance of all the specified goals to increase recycling and reduce revenue generation that is an integral part of the Plan.

9. We thus do not oppose the concept of a portion of the revenue share proceeds being retained by the solid waste collection company after full performance of a submitted plan and achievement of the identified goals therein.¹

10. While we understand from Mason County Garbage the concept of revenue share "retention carryover" is a new concept, based on our oversight of the actions of the Company in carrying out various programs, and consistent with the programs and goals defined in the Solid Waste Management Plan of Mason County, we see no reason to withhold the retention of any such proceeds by the Company assuming, once again, Mason County Garbage Company has fulfilled its obligations to us in the certified and approved plan. Further, since ordinance 147-08 as well requires a plan to be annually presented by the hauler and

approved by the SWAC and staff, we believe the mechanisms are in place to ensure and update the successful achievement of the statutory goals.

11. In short, our view of the revenue share legislation and statute is fairly simple. We believe two goals were actually being accomplished through the legislation. The first was to improve recycling participation rates and material recovery for all regulated customers. The second goal of the legislation was to incentivize the hauler to provide "above and beyond" service levels for recycling. Specifically, enhancing and transforming the recycling waste stream and secondary markets. In order to do the latter, there has to be financial incentives for private party market participants.

12. Based on the foregoing, we would ask the Commission to modify its Order No. 1 to authorize Mason County Garbage Company, should future circumstances warrant, to retain any unspent revenue share proceeds after complete review and certification of the effective recycling plan and attainment of performance measures contained within the Plan by Mason County.

13. Mason County believes Mason County Garbage Company has demonstrated the fulfillment of the goals established in its annual plan for this reporting period, as defined in Ordinance 147-08 which goals are subject to annual review by both the Solid Waste Advisory Committee and County staff and are consistent with the goals of the Solid Waste Management Plan. They are

¹ We would also note that while the recent 2010 legislation allowed for retention of "up to 50%" of the revenue share proceeds by the participating hauler, Mason County has approved a plan

also fully consistent with our interpretation of the revenue share legislation as described above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 2 day of February, 2011 at Shelton, Washington.

A handwritten signature in black ink, appearing to read 'David Baker', written over a horizontal line.

David Baker

authorizing retention at the more conservative 30% level for the coming year.